

FILED
Clerk
District Court

SEP - 6 2007

1 For The Northern Mariana Islands
2 By _____
3 (Deputy Clerk)

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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN MARIANA ISLANDS

7 JOHN S. PANGELINAN

Case No. CV-07-0027

8 Plaintiff,

9 ORDER DENYING
vs.
10 MOTION UNDER 28 U.S.C. § 2255

11 UNITED STATES OF AMERICA,

12 Defendant.

13 **THIS MATTER** came before the court on August 22, 2007, on petitioner's motion under 28
14 U.S.C. § 2255 to vacate, set aside, or correct sentence by a person in federal custody.

15 **THE COURT**, having considered the petitioner's arguments and having reviewed the
record, **DENIES WITHOUT PREJUDICE** the petitioner's motion for lack of subject matter
jurisdiction. See Pangelinan v. United States, CV-07-0025, Order Denying Motion Under 28 U.S.C.
16 § 2255, No. 2 (July 27, 2007).

17 **IT IS FURTHER ORDERED** that the Clerk of Court shall not file any § 2255 motion from
the petitioner until the pending appeal is final.

18 **IT IS SO ORDERED.**

19 DATED this 24 day of August, 2007.

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DAVID A. WISEMAN
U.S. District Court Designated Judge